



DEALER REGULATIONS



OUTLINE (140 IAC. 3-2-1)



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AUTHORITY AND PURPOSE

These regulations are promulgated pursuant to the authority granted to the *Commissioner of the Bureau of Motor Vehicles* by IC 9-1-1-1 and IC 9-10-2-1. The purpose of these regulations is to provide uniform written procedures to facilitate the administration of the issuance of dealer registration plates and dealer licenses by the Bureau of Motor Vehicles, (BMV).



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1. DEFINITIONS:

The following definitions shall be used in addition to those definitions contained in IC 9-10-1-1:

- A. **Applicability**- The definitions of this rule apply throughout this article.
- B. **Automobile Auctioneer**- As defined in IC 9-13-2-7.
- C. **Automotive Salvage Rebuilder**- As defined in IC 9-13-2-9.
- D. **Automotive Salvage Recycler**- As defined in IC 9-13-2-10.
- E. **Broker**- As defined in IC 9-13-2-15.
- F. **Certificate of Origin or Manufacturer's Statement of Origin**- The C of O or MSO is the original ownership document for a motor vehicle issued by a manufacturer and provided to the initial purchaser of the vehicle so as to begin the chain of ownership of the vehicle.
- G. **Commissioner**- As defined in IC 9-13-2-33.
- H. **Consignee**- The consignee is the dealer who receives a vehicle for the purpose of offering the vehicle for sale, but title to which is held by another person.
- I. **Consignment Sales**- A consignment sale of a motor vehicle by a dealer is any sale in which the dealer sells or offers for sale, for compensation or not, a motor vehicle which is not titled or assigned to said dealer.
- J. **Consignor**- The cosigner is the titled or assigned owner of a vehicle who cosigns a vehicle to a dealer.
- K. **Converter Manufacturer**- As defined in IC 9-13-2-42.
- L. **Dealer**- As defined in IC 9-13-2-42.
- M. **Dealer Plate**- The term dealer plate shall mean any classification of metal registration plates issued by the Bureau of Motor Vehicles to any licensed dealer, manufacturer, converter manufacturer, distributor, transfer dealer, wholesale dealer, automobile auctioneer or broker.
- N. **Designee**- refers to any person, including an employee, to which a dealer or manufacturer has granted the use of a vehicle, under IC 9-18-26-8, in the dealer's or manufacturer's inventory displaying a dealer-new, dealer-used, or manufacturer registration plate.



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- O. **Established Place of Business**- As defined in IC 9-13-2-50 and outlined in 140 IAC 3.5-2.
- P. **License Year**- the term "License Year" refers to a twelve (12) month period commencing and ending in accordance with IC 9-23-2-8.
- Q. **Manufacturer**- As defined in IC 9-13-2-97.
- R. **Mobile Home**- The term "mobile home" shall mean a movable or portable dwelling without motive power constructed to be towed on its own chassis and capable of being connected to utilities for human occupancy.
- S. **Mobile Home Dealer**- Any person who is properly licensed as a dealer under IC 9-23 and who sells over fifty percent (50%) of his total unit sales as mobile homes.
- T. **Motor Vehicle Industry Sponsored Tradeshow**- means the exhibition of vehicles by a motor vehicle trade association to provide the general public the opportunity to review and inspect vehicles at a single location. All trade association members must be invited to participate in the trade show.
- U. **New or Used Motorcycle Dealer**- Any person who is properly licensed under IC 9-23 and who sells over fifty percent (50%) of his total unit sales as new or used motorcycles.
- V. **Place of Business**- The business location of a transfer dealer.
- W. **Primary Business**- Business activity which attracts more than fifty percent (50%) of the gross revenue of the business or enterprise.
- X. **Recreational Vehicle**- As defined in IC 9-13-2-150.
- Y. **Recreational Vehicle Dealer**- Any person who is properly licensed under IC 9-23 and who sells over fifty percent (50%) of his total unit sales as recreational vehicles.
- Z. **Set of Plates**- the term "set of plates" shall be the first two (2) dealer or manufacturer plates purchased by a licensed dealer or manufacturer. Issuances commencing with the third plate shall not be referred to as sets.
- AA. **Trailer**- As defined in IC 9-13-2-184.
- BB. **Trailer Dealer**- Any person who is properly licensed as a dealer under IC 9-23 and who sells over fifty percent (50%) of his total unit sales as trailers.
- CC. **Transfer Dealer**- As defined in IC 9-13-2-185.
- DD. **Wholesale Dealer**- As defined in IC 9-13-2-199.



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2. ISSUANCE AND USE OF DEALER PLATES:

Dealer plates may be issued to any properly licensed dealer under IC 9-23. The dealer plates issued, however may be affixed only to vehicles primarily used and stored at an address within Indiana.

3. CERTIFICATE OF ORIGIN(S) FOR CONVERTED VEHICLES:

Any licensed dealer, manufacturer, converter manufacturer, or transfer dealer who converts any type of motor vehicle on which the manufacturer, converter manufacturer, dealer, or transfer dealer issues a second certificate of origin, must provide both initial certificate of origin and the second certificate of origin upon transfer of this vehicle.

4. CLASSIFICATION OF DEALER PLATES:

In addition to the dealer-new and dealer-used and manufacturer plates authorized by IC 9-18-26, the following classifications of dealer plates are authorized:

- Motorcycle Dealer- New
 - Motorcycle Dealer- Used
 - Transfer Dealer
 - Transfer Dealer plates may be utilized by the following parties:
 - Automobile Salvage Rebuilder
 - Automobile Salvage Recycler
 - Financial Institutions (bank or finance companies dealing in repossessed vehicles)
 - Insurance Companies (dealing in repossessed or salvage motor vehicles)
 - Any other type of business meeting the requirements of a transfer dealer as outlined in Dealer Rule 9 which because of the nature of its business has the need to transfer ownership of twelve (12) vehicles retail within any twelve (12) month period.
- A person properly licensed as a dealer under IC 9-23 is eligible to apply for dealer-new or dealer-used plates, including the following:
- Recreational Vehicle Dealer
 - Mobile Home Dealer
 - Wholesale Dealer
 - Trailer Dealer

Motorcycle dealers are eligible to apply for motorcycle dealer-new or motorcycle dealer-used plates. Persons licensed as manufacturer, converter manufacturer, factory representative, factory branch, distributor, distributor representative, or distributor branch shall be eligible to apply for manufacturer plates.



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5. DEALER LICENSE REQUIREMENTS:

As authorized in IC 9-23: All dealers designated dealer-new, dealer-used, motorcycle dealer-new and motorcycle dealer-used shall meet the following requirements.

- All dealers must have a license issued by the Commissioner to receive dealer registration plates.
- Application for a new dealer license and dealer plates may be submitted any time prior to December 15 for the current license year. A dealer license renewal application may be submitted thirty (30) days prior to the license expiration date.
- Any applicant who applies for a license after December 15 shall be eligible to be licensed for the following year.
- Only one dealer can be licensed from the same address or established place of business.
- In addition to the requirements outlined in IC 9-23, a dealer must meet the following minimum requirements:
 - The dealer must provide a Federal I.D. and a Retail Merchant Certificate number.
 - The dealer must, for the entire licensing period, have an established place of business with an Indiana address other than an Indiana post office box. Dealer licenses and dealer plates will be mailed to the business address only. The established place of business may not house a secondary business unless that business is closely related to the sale of motor vehicles and this secondary business does not provide in excess of fifty percent (50%) of the dealer's gross income. Multiple business locations such as strip office malls, garages, or residential properties shall be accepted if:
 - a separated entrance is maintained;
 - a separate address is maintained;
 - local zoning requirements are met;
 - adequate display area is provided;
 - a distinct impression of separate business is given to the general public; and
 - all other location and office requirements are met.

The dealer's established place of business shall:

- be accessible to the public
- have at least a space of one thousand three hundred (1,300) square feet and be able to accommodate the display of a minimum of ten (10) vehicles of the kind and type which the dealer is licensed to sell and space for customer parking;
 - meet all local zoning requirements;
 - be well lit during hours of operation; and
 - have display and customer parking areas adequately surfaced with asphalt, concrete, rock, or substance which will not change with weather conditions.



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The dealer's office shall be:

- housed at the dealer's established place of business
- at least one hundred (100) square feet in size;
- equipped with office furniture such as desk, chairs, and filing cabinets; and
- served with utilities such as electricity, lighting, heat, and a business telephone.
 - The dealer must provide garage liability insurance for the established place of business in accordance with the provisions of IC 9-23-2-10.
 - The dealer must provide photographs of the established place of business with the initial application for dealer license. The photographs must include but are not limited to:
 - sales and storage lot(s);
 - exterior advertising sign; and
 - display and office building.

The photographs must not be less than 3"x 5" in size. The photographs will be required to be updated if the dealership is moved or if its physical facilities are substantially altered or modified.

- The dealer must be in good standing with the Indiana Bureau of Motor Vehicles, the Indiana Department of Revenue, and the Indiana State Police.
- Except for dealers primarily engaged in the sale of used motor vehicles, the dealer must provide with the initial licensing application, evidence of the franchise or contract agreement showing a sales arrangement with a manufacturer or distributor.
- The dealer must maintain at the established place of business, a conspicuous, permanent sign identifying the dealer by the name in which the dealer is operating and the dealership's hours of operation.
- The dealer's established place of business must be accessible to the public for a minimum of thirty (30) hours each week during normal business hours. For the purpose of this rule, "accessible" means the place of business must be:
 - manned at least thirty (30) hours each week;
 - manned at least twenty (20) hours each week and a telephone answering, paging, or mobile service offered during the remaining ten (10) hours each week, the number for which is identified on the business sign; or
 - opened by appointment at least thirty (30) hours each week by maintaining a manned telephone or mobile telephone service for a minimum of ten (10) hours each week and a telephone answering, paging, or mobile service offered during the remaining twenty (20) hours each week, the number for which is identified on the business sign.



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6. ISSUANCE OF OFF-SITE SALES LICENSES; GENERAL CONDITIONS AND MINIMUM REQUIREMENTS:

An off-site license may be issued to a licensed dealer, manufacturer, automobile auctioneer, or transfer dealer for the purpose of conducting a vehicle event at a location other than the applicant's established place of business.

- The temporary location must:
 - be in a well defined location such as a building, tent, or open parking area which is separate and distinct from other business locations;
 - set up to include an appropriate area for the closing of a sale is closed at the off-site location; and
 - meet all local ordinance and zoning requirements.
- The application must:
 - be received at least sixty (60) days prior to the event;
 - contain the exact address of the proposed event location along with a brief description of the location;
 - include the applicant's established place of business;
 - contain the applicant's dealer license number;
 - include name, address, and telephone number of:
 - the owner if sole proprietorship;
 - the partners if partnership; or
 - the officers if corporation; and
 - contain the dates of the proposed event.

Commissioner may approve the application and issue a license or deny the application within forty five (45) days of the receipt of the application.

- Vehicle sales may not be conducted on Sunday under this rule pursuant to IC 24-4-6.
- Motor vehicle industry sponsored trade shows are exempted from the provisions of this rule, but the sponsor must notify the Commissioner, in writing, of the scheduling of a show and its participants at least thirty (30) days prior to a show.

7. DEALER PLATE USES AND RESTRICTIONS:

In addition to the restrictions established by IC 9-23, all dealer plated issued to dealer-new, dealer-used, motorcycle dealer-new, motorcycle dealer-used are subject to the following restrictions:

- Dealer plates under these provisions shall only be affixed upon vehicles in the dealer's inventory being held for sale in the usual and customary conduct of the dealer's business of buying and selling motor vehicles.
- Use of such plates shall be direct and incidental use in the usual and customary conduct and operation of the business of the dealer.



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- Dealer plates under this section shall not be used on vehicles required to be registered or on vehicles for which dealers charge and receive compensation from individuals other than their employees. Vehicles required to be registered include:
 - tow trucks;
 - delivery trucks;
 - rental or lease vehicles; or
 - parts and service vehicles.
- A vehicle used to pick or deliver parts or supplies shall be deemed to be a service or parts vehicle.
 - Dealer plates may not be used on vehicles leased or rented to or by the dealer.
 - Dealer plates may be used for up to ten (10) days within the State of Indiana on the vehicles which are hauling a load provided the movement is for demonstration purposes to affect a sale for demonstrated vehicle, and the dealer has been notified and has been granted approval by the Indiana State Police- Motor Vehicle Inspection Division.
 - Dealer plates under these provisions may be used by a prospective buyer or service customer on a vehicle in the dealer's inventory unattended by an agent or representative of the dealer for a period not to exceed ten (10) days.
 - Following the sale and delivery of a vehicle from the dealer's inventory, the metal dealer plate shall not be used on that vehicle. An interim registration plate may be issued to the purchaser by the dealer for a period expiring twenty one (21) days from the date of delivery or until regular registration plates have been obtained whichever event occurs first.
 - The dealer hereunder and his employees may use the dealer registration plates issued to the dealership for personal use, on vehicles in the dealer's inventory. An employee, for the purpose of this provision, must be in a bona fide employment arrangement.
 - Dealer plates are not to be used to circumvent the registration of individual motor vehicles as required by law or the payment of sales tax or auto excise taxes on those vehicles. Such use may be evidenced by the possession of a vehicle by a dealer on which a dealer plate is affixed which has been in the inventory of the dealer beyond the usual and customary period of time for the industry as a whole or which is not in the dealer's inventory of vehicles held for sale.
 - It is a violation of these regulations for a dealer to loan, lease or sell any dealer registration plates issued to him or to anyone not authorized to use that dealer's plates, or to any party who has or could obtain any classification of dealer plates as a result of the nature of that party's business.
 - A vehicle bearing a dealer plate, except when the vehicle is being transported to the dealer's place of business from a manufacturer, must have:
 - in the case of a **NEW** vehicle, a monroney sticker attached to the vehicle; or
 - in the case of a **USED** vehicle, a Federal Trade Commission buyer's guide sticker attached to the vehicle.

Motorcycle dealer plates may not be used on any other type of vehicle other than a motorcycle even if that type of vehicle is held in the inventory of the dealer.

- Any motorcycle dealer who maintains for sale an inventory of vehicles other than motorcycles may apply for dealer-used plates for use in conjunction with the sale of those vehicles.



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8. MANUFACTURER LICENSE REQUIREMENTS:

- All manufacturers, converter manufacturers, factory branches, factory representatives, distributors, distributor branches, or distributor representatives must have a license issued by the Commissioner under IC 9-23 in order to receive manufacturer dealer registration plates.
- Manufacturers, converter manufacturers, factory branches, factory representatives, distributors, distributor branches, or distributor representatives, through conducting business within Indiana, are not required to have an established place of business.
- Application for manufacturer licenses and registration plates may be made after December 15 or two (2) months prior to the expiration month of each year for the ensuing license year.
- Any applicant, who applied for a license after December 15, but before March 1 of the license year, shall be eligible to be licensed for the following license year.
- In addition to the requirements outlined in IC 9-23, a manufacturer must meet the following minimum requirements:
 - The applicant must provide a Federal I.D. number and a Retail Merchant Certificate number.
 - The manufacturer must provide, if the applicant has an established place of business, garage liability insurance as prescribed in IC 9-23-2-10. The applicant must provide, if the applicant does not have an established place of business, business liability insurance in an amount approved by the Commissioner.
 - The applicant must be in good standing with the Indiana Bureau of Motor Vehicles, the Indiana Department of Revenue, and the Indiana State Police.
 - Unless conflicting with the provisions of this section, all regulations governing dealers shall apply to manufacture dealers.

9. MANUFACTURER PLATE USES AND RESTRICTIONS:

In addition to the restrictions established by IC 9-18-26, manufacturer dealer plates are subject to the following restrictions:

- If the manufacturer, converter manufacturer, factory representative, factory branch, distributor, distributor representative, or distributor branch desires to obtain manufacturer registration plates and does not have an established place of business, then the applicant must show that the vehicle to be plated and utilized on the public highways have insurance coverage in the same amount as provided in IC 9-10-2-11.
- Manufacturer dealer plates under these provisions shall only be affixed upon vehicles in the manufacturer's business.
- Manufacturer dealer plates shall be for the direct and incidental use in the usual and customary conduct and operation of the business of the manufacturer.



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- Use in the usual and customary conduct and operation of the business shall be determined by the practice of all manufacturers in accordance with this article.
- Manufacturer dealer plates under these provisions shall not be used on vehicles required to be registered or upon any vehicles for which the manufacturer's employees.
- The manufacturer and the manufacturer's designees may use the manufacturer dealer registration plates issued to the manufacturer for personal use on vehicles in the manufacturer's inventory. A designee, for purposes of this subdivision, must be in a bona fide employment arrangement.
- Manufacturer dealer plates may not be used to circumvent the registration of individual motor vehicles as required by law or the payment of sales tax or auto excise taxes on those vehicles.
- For a manufacturer to loan, lease, or sell a manufacturer plate issued to the manufacturer to anyone not authorized to use that manufacturer's plates as a result of the nature of the party's business, is a violation of this rule.

10. TRANSFER DEALER LICENSE REQUIREMENTS

- Transfer dealers must be properly licensed by the Commissioner in order to receive transfer dealer plates.
- Application for transfer dealer license and registration plates may be submitted any time prior to December 15 for the current license year. A transfer dealer license renewal application may be submitted thirty (30) days prior to the license expiration date.
- An applicant who applies for a license under this section after December 15 shall be eligible to be licensed for the following year.
- Minimum requirements for licensing transfer dealers:
 - Furnish a Federal I.D. and a Retail Merchant Certificate number.
 - The transfer dealer must have a place of business which is devoted to the conduct of a business related to the sale of motor vehicles. The place of business must be a permanent, enclosed building or structure. The place of business shall not include a residence, tent, temporary stand or permanent quarters temporarily occupied. Parking or storage of a minimum of ten (10) motor vehicles must be provided.
 - The transfer dealer must provide photographs of the place of business with the initial application for transfer dealer license. The photographs must include but are not limited to, the major sales, storage and office space utilized by the transfer dealer. The photographs must not be less than 3"x5" in size. The photographs must be updated if the dealership is moved or if its physical facilities are substantially altered or modified.
 - The transfer-dealer must be in good standing with the Indiana Bureau of Motor Vehicles, the Indiana Department of Revenue, and the Indiana State Police.
 - Furnish proof of coverage by garage liability insurance under IC 9-23-2-10 if the dealer has an established place of business. The transfer dealer must be covered by business liability insurance if the dealer has a place of business.
 - Provide a statement delineating the type of and extent of the dealer's business.
 - Unless conflicting with the provisions of this section, all rules that the Commissioner finds applicable governing dealers shall apply to transfer dealers.



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11. TRANSFER DEALER PLATES USES AND RESTRICTIONS:

The transfer dealer plate may be placed on vehicles owned by the transfer dealer for a period not to exceed ten (10) days either for:

- the purpose of acquisition of vehicles;
- for the purpose of previously sold vehicles; or
- delivery of vehicles following sale.

The transfer dealer plate may be placed on vehicles owned by the transfer dealer for demonstration of the vehicle to a potential customer for a period not to exceed ten (10) days.

The transfer dealer plate may be placed on a vehicle not owned by the transfer dealer but in his rightful possession for a period not to exceed ten (10) days for the purpose of performing mechanical, body or maintenance work on the vehicle.

The transfer dealer plate may not be placed on any vehicle, even a vehicle in the inventory of the dealer, for the personal use of a transfer dealer or his/her employees.

12. WHOLESALE DEALER, AUCTIONEER AND BROKER LICENSES:

- All wholesale dealers, automobile auctioneers and brokers must be properly licensed by the Commissioner in order to receive wholesale dealer registration plates.
- Application for wholesale dealer license registration plates may be submitted prior to December 15 for the current license year. A wholesale dealer, automobile auctioneer, or broker license renewal application may be submitted thirty (30) days prior to the license expiration date.
- Any applicant who applies for a license after December 15 is eligible to be licensed for the following year.
- Minimum requirements for licensing wholesale dealers, automobile auctioneers and brokers:
 - The wholesale dealer must furnish a Federal I.D. and a Retail Merchant Certificate number.
 - An applicant must be covered by business liability insurance in an amount determined by the Commissioner.
 - An applicant must be in good standing with the Indiana Bureau of Motor Vehicles, the Indiana Department of Revenue, and the Indiana State Police.
 - Each applicant must submit to an investigation by the Bureau of Motor Vehicles within one hundred twenty (120) days following the issuance of the wholesale dealer license. Business records must be presented to verify the number of monthly sales. Each applicant will be contacted at the address given on the license application. If the applicant is not in when the investigator calls, it will be the responsibility of the wholesale dealer to contact the Bureau of Motor Vehicles to arrange for an alternative visit. No dealer plates will be renewed until an investigation has been conducted.
 - The wholesale dealer must provide a permanent Indiana address at which he may be contacted by the Bureau of Motor Vehicles.



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- A wholesale dealer must sell a minimum of one hundred twenty (120) vehicles per year.
- Unless conflicting with the provisions of this section all regulations governing dealers shall apply to wholesale dealers, automobile auctioneers, and brokers.
- A wholesale dealer, except a dealer licensed as an automobile auctioneer, may not sell vehicles to the general public.

13. NUMBER OF DEALER, MANUFACTURER, OR INTERIM PLATES:

- The maximum number of dealer plates issued under this section is determined under Step 3 of the following formula:
 - Step 1: Determine the total number of vehicles (both retail and wholesale) sold, or projected sold, by the applicant in a license year.
 - Step 2: Determine the number of licensed months the applicant was in business during the license year.
 - Step 3: Divide the number in Step 1 by the number in Step 2.
(For example: Total annual sales of one hundred and twenty (120) divided by twelve (12) months equals ten (10) plates.)
- The maximum number of manufacturer plates issued under this section is determined under Step 3 of the following formula:
 - Step 1: Determine the total number of vehicles evaluated or tested under any type of evaluation or testing program or under the control of the manufacturer for which property taxes were assessed.
 - Step 2: Determine the number of licensed months the manufacturer was in business during the license year.
 - Step 3: Divide the number in Step 1 by the number in Step 2.
(For example: A total evaluated or tested vehicles per year of one thousand (1,200) divided by twelve (12) equals one hundred (100) plates.)
- A manufacturer applying for manufacturer plates under subsection (B) must file a report with the Bureau of Motor Vehicles each year stating the ratio per vehicles manufactured as a condition of approval of the application. The report of the ratio must include the following:
 - The total number of vehicles manufactured per year.
 - The total number of vehicles tested or evaluated per year.
 - The number of vehicles for which property taxes were assessed.
 - A detailed listing of how the plates are to be distributed to any of its licensed factory branches or divisions.
- A report of product evaluation program identifying all product evaluation vehicles, designees, and manufacturer plate assignments must be filed by the manufacturer or its subsidiary division on a quarterly basis. Manufacturer plates issued under subsection (B) shall be distributed to its subsidiary divisions or factory branches as indicated on the report of ratio.
- The Commissioner may limit the number of plates issued to any licensed location or licensee.



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- The Commissioner may limit the number of interim plates issued based on:
 - the number of vehicles sold; or
 - the dealer's or manufacturer's projected sales.

14. NUMBER OF VEHICLES SOLD BY DEALER OR TRANSFER DEALER:

- All dealers and transfer dealers with the exception of wholesale dealers, financial institutions and insurance companies are subject to the minimum requirement of selling twelve (12) vehicles within a twelve (12) month period. For the purpose of determining the number of units sold or anticipated to be sold by a dealer, the licensing year shall be used.
- All wholesale dealers are subject to the requirement of selling one hundred twenty (120) vehicles within a twelve (12) month period. For the purpose of determining the number of units sold or anticipated to be sold by a wholesale dealer, the licensing year shall be used.

15. CONSIGNMENT SALES:

- Any consignor, who consigns a vehicle to a consignee to be offered for sale and sold by the consignee on behalf of the consignor to a third party purchaser, must provide the consignee with either the title to the vehicle along with a power of attorney designating the consignee as the agent of the consignor or a duly executed consignment agreement between the consignor and the consignee. The cosigner must be identified to the buyer by the consignee.
- A consignment agreement for the sale of each motor vehicle must contain but is not limited to the following information:
 - The name and current address of the vehicle's titled owner and person having possession of the title.
 - The name and current address of any party holding a lien on the vehicle.
 - The name and current address of any party to which the vehicle was cosigned for sale.
 - Descriptions of the vehicle including the vehicles make model, color and manufacturer's vehicle identification number.
 - A statement showing that the consignor has appointed the consignee as his agent for the purpose of offering the vehicle for sale.
 - Any sales conditions that must be met by the consignee.
- Consignment arrangements do not apply to a licensed dealer's inventory. Consignment agreements must be completed for each vehicle offered for sale on the consignment sales lot regardless of whether or not the cosigner has provided a title. Copies of the consignment agreement must be maintained continuously for a period of three (3) years.
- The vehicle should be plated by the cosigner and insured by the cosigner for the purpose of demonstration of the vehicle. The consignee is not eligible for interim plates under section 15 of this rule.
- The consignment sales lot must meet the requirements of a dealer's location, office, and zoning provisions.



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16. DENIAL, SUSPENSION, OR REVOCATION OF THE DEALER LICENSE AND PLATES:

- Application for a dealer license and dealer plates shall be as follows:
 - A person may file an application for a dealer license and dealer plates with the Commissioner.
 - The Commissioner shall investigate the information submitted with the application. Based upon the investigation, the Commissioner shall approve or deny the application.
 - If the application is approved, the Commissioner shall assign the applicant to the proper classification, the request for redetermination procedure shall be as follows:
 - Within fifteen (15) days of the Commissioner's determination of a party's application for dealer registration plates, that party, if aggrieved, may make written request to the Commissioner for a redetermination specifically stating the grounds for which the redetermination is requested.
 - As a result of the written request for redetermination, the Commissioner of the Bureau of Motor Vehicles shall afford the applicant the opportunity to present evidence at a hearing. The hearing will be conducted in accordance with IC 4-21.5. Any further review of the determination by the Bureau of Motor Vehicles shall be afforded under IC 9-23-2-14.
 - A dealer license or dealer plates, or both may be suspended or revoked if the Bureau of Motor Vehicles determines that the dealer has willfully violated federal and state law, including this rule, relating to sale, distribution, financing, or insuring of motor vehicles. The Bureau of Motor Vehicles may place the dealer on probation. The dealer is also subject to all other penalties under IC 9-23-6.
 - The Bureau of Motor Vehicles shall notify the dealer of specific charges and schedule a hearing under IC 4-21.5 before the Bureau of Motor Vehicles suspends or revokes a dealer license or dealer plates or places the dealer on probation.
 - Any further review of the determination by the Bureau of Motor Vehicles shall be afforded under IC 9-23-2-14.

17. OPERATION WITHOUT A LICENSE – CEASE AND DESIST ORDER:

A business engaged in business activities as identified in IC 9-23 must be properly licensed to carry out the business activities and functions. Failure to obtain a license or having a license suspended or revoked by the Bureau of Motor Vehicles shall be cause for an order to cease and desist all business activities to be issued by the Bureau of Motor Vehicles. The Bureau of Motor Vehicles shall notify the State Police Department of an order issued to cease and desist business activities.



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18. PROCEDURES FOR HANDLING DEALER LICENSING FEES:

- The Bureau of Motor Vehicles shall charge a fee of twenty dollars (\$20), or five percent (5%) of the face amount of the check, whichever is greater, but not to exceed two hundred and fifty dollars (\$250) as handling charge for returned checks.
- If additional dealer plates are not approved after investigation, there will be no refund for issued temporary dealer permits.